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T-D

APPLICATION NO. 005514	FILING DATE 08/02/99	FIRST NAMED INVENTOR SUZUKI	ATTORNEY DOCKET NO. K 35.C13719
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005514
IM22/0221
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NEW YORK NY 10112

EXAMINER

MAYES, M

ART UNIT	PAPER NUMBER
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1734

DATE MAILED: 02/21/01

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/365,510

Applicant(s)

Suzuki et al.

Examiner

M. Curtis Mayes

Group Art Unit

1734



☐ Responsive to communication(s) filed on _____

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-6 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-6 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 1734

DETAILED ACTION

Drawings

(1)

Figures 3A-3C should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g).

Claim Rejections - 35 USC § 102 and 103

(2)

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(3)

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was

Art Unit: 1734

commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

(4)

Claims 1 and 6 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Nakazawa et al.

Nakazawa et al. disclose a method and apparatus for laminating comprising: providing a printer having an ink jet recording means; forming an image on a sheet by the ink jet recording means; providing a laminating apparatus connected to the printer and having pressure rollers 40a, 40b having laminate heaters 441, 44b; and feeding the sheet between the pressure rollers together with laminate films to laminate the films to the sheet by heating and pressurizing (col. 4, line 16 - col. 5, line 25, col. 20, lines 46-59).

In addition, the presently claimed function of smoothing the surface of the thermoplastic film by heating and pressurizing means would obviously have been provided as a result of the operation of the apparatus and process of Nakazawa et al. of using heated pressure rollers to laminate the films to the sheet by heating and pressurizing. Note In re Best, 195 USPQ at 433, footnote 4 (CCPA 1977) as to the providing of this rejection under 35 USC 103 in addition to the rejection made above under 35 USC 102.

Art Unit: 1734

(5)

Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakazawa et al. as applied to claim 1 above, and further in view of Yamamoto et al. and Ogawa et al.

Yamamoto et al. teach that to give gloss to a print formed by ink jet recording, a lamination treatment of the recorded surface with a film after the image is formed has been practiced (col. 1, lines 51-55).

Ogawa et al. teach that an ink jet recording sheet is provided with a 75° gloss of most preferably at least 80% (col. 4, lines 16-19).

It would have been obvious to one of ordinary skill in the art to have modified the method of Nakazawa et al. by using the laminate films to provide the ink jet recorded sheet with a gloss as Yamamoto et al. teach that lamination treatment of a film to an imaged surface is used to give gloss to the print formed by ink jet recording. Providing the pressure rollers with a surface glossiness as claimed in Claims 2 and 3 in order to provide the laminate films with a gloss would have been obvious to one of ordinary skill in the art as Ogawa et al. teach that an ink jet recording sheet is provided with a 75° gloss of at least 80%.

(6)

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakazawa et al.

Providing the laminate films with a film-forming temperature lower than that of a binder resin in the image receiving layer of the sheet would have been obvious to one of ordinary skill in

Art Unit: 1734

the art to prevent deformation of the image recorded in the receiving layer during heat and pressure lamination of the laminate films to the ink jet recorded sheet.

(7)

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakazawa et al. as applied to claim 1 above, and further in view of Yamamoto et al. and JP 5-269949.

Yamamoto et al. teach that to give gloss to a print formed by ink jet recording, a lamination treatment of the recorded surface with a film after the image is formed has been practiced (col. 1, lines 51-55).

JP '949 teaches that to provide excellent surface glossiness to a printing paper, a film of a resin layer and adhesive layer is layered on the printing paper (Abstract).

It would have been obvious to one of ordinary skill in the art to have modified the method of Nakazawa et al. by providing the laminate films as a laminate of resin layer and adhesive layer as taught by JP '949 to provide excellent surface glossiness to a printing paper, as Yamamoto et al. teach that lamination treatment of a film to an imaged surface is used to give gloss to the print formed by ink jet recording.

Conclusion

(8)

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 1734

(9)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Curtis Mayes, whose telephone number is (703) 308-1977. The examiner can normally be reached on Monday-Friday from 6:30 AM-3:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino, can be reached on (703) 308-3853.

The Official FAX phone number for this Tech Center 1700 is (703) 305-7718.

The Unofficial Fax phone number is (703) 305-7115.

When filing a FAX in Tech Center 1700, please indicate in the Header (upper right) "Official" for papers that are to be entered into the file, and "Unofficial" for draft documents and other communication with PTO that are not for entry into the file of the application. This will expedite processing of your papers.

The receptionist number for Tech Center 1700 is (703) 308-0661.


CURTIS MAYES
PRIMARY EXAMINER
Art Unit 1734
February 20, 2001